

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STEPHEN PALMER, : CIVIL ACTION  
Petitioner, :  
v. : NO. 07-04134  
Supt. KERESTES, et al., :  
Respondents. :  
:

**ORDER**

AND NOW, this 3rd day of December, 2008, upon consideration of the Amended Petition for Writ of Habeas Corpus (Document No. 4), the Respondents' Answer to the Petition for Writ of Habeas Corpus, the Petitioner's Reply to Respondents' Answer Filed, the Report and Recommendation Filed by United States Magistrate Judge Carol Sandra Moore Wells, and after a thorough and independent review of the record, it is ORDERED that:

1. The Report and Recommendation of Magistrate Judge Wells is APPROVED and ADOPTED;
2. The Petition for Writ of Habeas Corpus is DENIED; and,
3. There is no probable cause to issue a certificate of appealability.

BY THE COURT:

*Joel Slomsky*  
JOEL H. SLOMSKY, J.